



800 Third Ave., Suite 2401  
New York, NY 10022  
o. 212.577.0040 f. 212.577.0054

**F. Franklin Amanat**

*Licensed in NY, NJ, DC*

direct: 212.577.0052

famanat@motleyrice.com

"I will stand for my client's rights.  
I am a trial lawyer."  
—Ron Motley (1944–2013)

March 25, 2025

Honorable Arlene R. Lindsay  
United States Magistrate Judge  
Eastern District of New York  
100 Federal Plaza  
Central Islip, NY 11722

Re: *Cortez v. United States*, No. 2:24-CV-7532 (JMA/ARL)

Dear Judge Lindsay:

In the above-referenced putative class action under the Little Tucker Act, 28 U.S.C. § 1346(a)(2), the Court directed the parties by order of February 10, 2025, to submit a joint status letter by today. The parties have exchanged and filed premotion conference letters on the Government's anticipated motion to dismiss and Plaintiff's placeholder motion for class certification, but a briefing schedule has not yet been set.

On March 14, 2025, Plaintiffs filed an Amended Complaint (ECF No. 23) adding a new Plaintiff, Rev. Nell B. Archer. On March 21, after the amended complaint was filed, the Government provided documents indicating that ICE had previously canceled Reverend Archer's bond and mailed a check. Reverend Archer was unaware of this, and the check provided by the Government appears to have been signed by someone whose name Reverend Archer does not recognize, which raises significant concerns that the check was misappropriated. There is also not a database that Reverend Archer or counsel could have checked to verify the status of the bond and whether it had been canceled. Plaintiffs are investigating these facts and assessing their options, and will advise the Government as to their intentions with respect to the amended complaint by March 31.

The parties thus jointly ask that the Court hold off on scheduling next steps in the case until after Plaintiffs have completed the above investigation and had an opportunity to meet and confer with the Government, in early April, about the path forward. We would then follow with an updated status report within thirty days.



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In the meantime, the Government has advised that it is still reviewing Plaintiffs' amended pleading to determine what effect, if any, it may have on the Government's anticipated motion to dismiss the Plaintiffs' original complaint. Accordingly, the Government has requested that, in the event Plaintiffs do not withdraw the Amended Complaint, its time to respond to that pleading be extended by thirty days (From March 28, 2025 to April 28, 2025). Plaintiffs do not oppose that request.

We appreciate the Court's time and attention to this matter.

Respectfully submitted,

F. Franklin Amanat  
Motley Rice LLC

*Counsel for Plaintiff*

cc (by ECF notification and courtesy email):  
AUSA Robert W. Schumacher, II  
All counsel of record